

## COMMISSION MEETING MINUTES

JULY 3, 2014

A MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, TENNESSEE was held in the Commission Chambers of the Municipal and Safety Building, 601 East Main Street, Johnson City, Tennessee on Thursday, July 3, 2014.

PRESENT: Mayor Ralph Van Brocklin, Vice-Mayor Clayton Stout, Commissioners Jenny Brock and David Tomita, Pete Peterson, City Manager, and Janet Jennings, City Recorder.

ABSENT: Commissioner Jeff Banyas.

Mayor Ralph Van Brocklin called the meeting to order at 6:04 p.m.

At this time, Roger Blakeley, gave the invocation, which was followed by the pledge of allegiance.

Upon motion by Commissioner David Tomita, seconded by Vice-Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by four ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the minutes of the Special Called City Commission Meeting held on Thursday, June 12, 2014, be and the same are hereby approved.

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner David Tomita, the following resolution was offered for adoption. The motion **carried** by four ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the minutes of the regularly scheduled City Commission Meeting held on Thursday, June 19, 2014, be and the same are hereby approved.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner David Tomita, the following resolution was offered for adoption. The motion **carried** by four ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the minutes of the Special Called City Commission Meeting held on Friday, June 20, 2014, be and the same are hereby approved.

At this time, Mayor Ralph Van Brocklin presented a proclamation recognizing Parks and Recreation Month. Roger Blakeley, Parks and Recreation Director, was present to accept.

**Whereas** recreation programs and activities provide opportunities for all people to live, grow, learn and develop into contributing members of our community; and

**Whereas** recreation and parks create quality of life and social experiences for all members of our community; and

**Whereas** recreation and park facilities provide a variety of opportunities for physical activities, socialization, group and individual experiences in the arts, nature, music, drama, swimming, athletics and numerous others; and

**Whereas** recreation opportunities, programs and facilities can be found in Johnson City, making our community an attractive and desirable place to live, play and visit; contributing to a healthy social and economic environment.

**Now, Therefore, I,** Ralph Van Brocklin, mayor of the City of Johnson City, Tennessee, do hereby proclaim July 2014

## Parks and Recreation Month

in Johnson City, Tennessee, and encourage all citizens to celebrate the benefits of these services by participating in their choice of recreation activities.

### In Witness Whereof, I

have hereunto set my hand and caused the Official Seal of the City of Johnson City, Tennessee, to be affixed this 3rd day of July 2014.

/s/ Ralph J. Van Brocklin

Ralph Van Brocklin, Mayor

At this time, Mayor Ralph Van Brocklin opened the public input session. No one spoke.

Upon motion by Mayor Ralph Van Brocklin, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by four ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the Mayoral appointments of James Staton and Tim Zajonc to the City's Johnson City Regional Planning Commission, be and the same are hereby approved.

Upon motion by Commissioner Jenny Brock, seconded by Vice-Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by four ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the appointment of Frank Calderala to the Senior Services Foundation Board, be and the same is hereby approved.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by four ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That **deferral** of the consideration of three appointments to the Johnson City Development Authority to allow time to review the remainder of the applications, be and the same is hereby approved.

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by four ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the reappointments of Lee Chase and Mary Ellen Miller and the appointment of Kathy Hall to the Johnson City Public Library Board, be and the same are hereby approved.

Upon motion by Mayor Ralph Van Brocklin, seconded by Vice-Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by four ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That **deferral** of the consideration of the reappointment to the Johnson City Power Board to allow time to determine if there were additional applicants and, if so, review those, be and the same is hereby approved.

Upon motion by Commissioner David Tomita, seconded by Vice-Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by four ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a beer license for DW Restaurant Holder, LLC, d/b/a Hooters of Johnson City, 2288 North Roan Street, Johnson City, Tennessee, be and the same is hereby approved. Aaron Throckmorton, Acting General Manager, was present.

Upon motion by Mayor Ralph Van Brocklin, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by four ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the pulling, from the Consent Agenda, of consideration of the bid for the new field house at Kermit Tipton Stadium submitted by J.E. Green for \$2,069,600, be and the same is hereby approved.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by four ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the Consent Agenda for July 3, 2014, with the exception of the bid for construction of the new field house at the Kermit Tipton Stadium, be and the same is hereby approved.

**CONSENT AGENDA:**

**I. CONSENT AGENDA**

**A. GENERAL:**

**i. Police**

Consider approval of CrimeView Dashboard Hosting Agreement Payment Schedule with The Omega Group, Inc. (Software Purchase Order #JC-1704)

**ii. Transit**

Consider approval for execution of TDOT contract to extend state Urban Operating Assistance Grant UROP-S3-008 to June 30, 2015

**iii. Development Services ~ Community Development**

Consider approval of FY 2014-15 Emergency Solutions Grant Agreements to Seven-(7) Community Service and Shelter Organizations under the Tennessee Housing Development Agency ESG Program

**iv. Parks & Recreation ~ Senior Services Division**

Review and Approval of FTDD Area Agency on Aging and Disability Grant Contract for the City of Johnson City –Senior Services

**v. Park & Recreation ~ Administration**

Consider Johnson City Parks & Recreation Fees and Charges Policy

**vi. Public Works Department**

Consider Annual State Route Maintenance Contract in the amount of \$231,477.90

**vii. Public Works Department**

Consider I-26 Annual Mowing and Litter Contract in the amount of \$59,580.00

**viii. Public Works Department**

Consider Agreement of Sale for Bolton Block Property in the amount of \$280,000.00

**ix. Water & Sewer Services**

Authorization for Mayor to sign 2014 Sanitary Sewer Rehab/Replacement Project Agreement (ITB# 5811)

**B. INVOICES:**

- i. Tank Industry Consultants ..... \$11,205.00  
Water & Sewer Services ~ Work Order #26  
Watauga & Tri County Industrial Park Tanks  
Funding Source: Budgeted Expense
- ii. Thomas Construction Company ..... \$17,362.20  
Water & Sewer Services ~ Pay Request #3  
Galvanized Water Line Replacement  
Funding Source: Budgeted Expense
- iii. CDM Smith ..... \$78,677.50  
Water & Sewer Services  
Brush Creek & Knob Creek WWTP Improvements  
Funding Source: Water/Sewer Bond
- iv. Gresham Smith & Partners ..... \$1,220.38  
Public Works Department  
Indian Ridge Road Improvements  
Funding Source: STP Funds
- v. Gresham Smith & Partners ..... \$32,539.60  
Public Works Department  
CEI on the ITS Project  
Funding Source: Capital Projects
- vi. Stansell Electric ..... \$239,992.04  
Public Works Department ~ Pay Request #9  
ITS Project  
Funding Source: Capital Projects
- vii. Mattern & Craig ..... \$3,998.50  
Public Works Department  
Traffic Signal Upgrade & Interconnection of Six-(6) Intersections  
Funding Source: 100% STP Funding

- viii. Summers Taylor ..... \$48,358.84  
Public Works Department  
Broadway Street Drainage Project  
Funding Source: Storm Water Fund
- ix. Summers Taylor ..... \$51,944.30  
Public Works Department  
Safe Routes to School ~ Lone Oak Road Sidewalk  
Funding Source: STP Funds
- x. Littlejohn Engineering ..... \$7,976.00  
Public Works Department  
Safe Routes to School ~ Lone Oak Road Sidewalk  
Funding Source: Safe Route & STP Funds
- xi. Beeson Lusk & Street Architects ..... \$29,751.00  
Johnson City Schools  
SHHS New Kermit Tipton Field House  
Funding Source: Capital Project Fund ~ Reserve Funds
- xii. Beeson Lusk & Street Architects ..... \$450.00  
Johnson City Schools  
SHHS New Kermit Tipton Field House  
Funding Source: Capital Project Fund ~ Reserve Funds
- xiii. HVAC Inc. .... \$430,326.25  
Johnson City Schools ~ Pay Request #6  
Science Hill High School HVAC Upgrade  
Funding Source: Washington County Bond Funds
- xiv. Burleson Construction Company ..... \$4,529.75  
Johnson City Schools  
Science Hill High School HVAC Upgrade  
Funding Source: Washington County Bond Funds

**C. BIDS:**

- i. BWI Companies ..... \$35,861.40  
 Park & Recreation ~ Golf Division (ITB #5840)  
 Ryegrass Seed  
 Funding Source: Budgeted Expense

TABULATION OF BIDS  
 CITY OF JOHNSON CITY, TENNESSEE  
 JUNE 26, 2014  
BID # 5840 PERENNIAL RYEGRASS SEED-PARKS AND REC/GOLF

	<u>Unit Price</u>	<u>Total</u>
John Deere Landscaping	1.2476	\$36,180.40
Green Seed	1.43	\$41,470.00
BWI Companies	1.2366	<u>\$35,861.40</u>
Sigma Organics	1.73	\$50,170.00
Landscape Supply	1.33	\$38,570.00

Decline: Punnington Seed

No Response: Washington Farmers Cooperative, Jen-Hill, Warranty One, Ladds, Helena Chemicals, qikHelp, Ritchie Tractor, Howard Fertilizer

RECOMMEND ACCEPTANCE OF LOW BID, CIRCLED ABOVE.

- ii. J.E. Green ..... \$2,069,600.00  
 Johnson City Schools (ITB# 5831)  
 New Field House for Kermit Tipton Stadium  
 Funding Source: Various Sources: Donations, Bonding, Advertising  
 Income & Washington County Bond Funds, (Partially Not Funded)

**D. PROPOSALS:**

- i. BCTI ..... \$115,357.00  
 Information Technology (RFP# 5836)  
 Storage Area Network System  
 Funding Source: Budgeted Capital

Upon motion by Vice-Mayor Clayton Stout, seconded by Mayor Ralph Van Brocklin, the following resolution was offered for adoption. The motion **carried** by four ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That acceptance of the bid for construction of the new field house at Kermit Tipton Stadium submitted by J.E. Green for \$2,069,600, covering the base bid and alternate #1, contingent upon approval by the Board of Education to provide \$400,000 in funding toward the project, be and the same is hereby approved.

# BID TABULATION SHEET

BEESON, LUBK & STREET, INC., ARCHITECTS  
207 EAST MAIN STREET  
JOHNSON CITY, TN 37604  
423.926.1175

NAME OF PROJECT: ITB NO.: 5801  
NEW KERMIT TIPTON FIELD HOUSE OF SCIENCE HILL HIGH SCHOOL  
900 STADIUM DRIVE, JOHNSON CITY, TN  
BID DATE: THURSDAY, JUNE 12, 2014  
LOCATION: CITY OF JOHNSON CITY PURCHASING DEPARTMENT  
209 WATER STREET, JOHNSON CITY, TN 37601  
TIME OF BID: 4:00 p.m. / 5:00 p.m.

BIDDERS LIST	LICENSE NO.	BASE BID	ALTERNATE NO. 1 BRICK VENEER	ALTERNATE NO. 2 SOUTH END SIDEWALK	UNIT PRICE TRENCH ROCK	UNIT PRICE MASS ROCK	UNIT PRICE EXCAV. POOR SOILS
Armstrong Construction Co., Inc. 151 Shelby Street Kingsport, TN 37660	1554	\$1,950,000.00	\$168,185.00	\$43,000.00	\$350.00/cy	\$220.00/cy	\$65.00/cy
Greene-Rush Co., Inc. - GRC 130 Regional Park Drive Kingsport, TN	26491	\$2,246,000.00	\$62,500.00	\$157,800.00	\$340.00/cy	\$275.00/cy	\$32.00/cy
J.E. Green Company 300 East Market Street Johnson City, TN 37604	3827	\$2,069,600.00	\$4,600.00	\$124,800.00	\$340.00/cy	\$225.00/cy	\$28.00/cy
Holman Construction Co., Inc. 513 Twin Oaks Drive Johnson City, TN 37601	26587	\$2,409,551.00	\$44,815.00	\$158,970.00	\$336.00/cy	\$224.00/cy	\$28.00/cy
Mert Construction, Inc. 10435 Ducktown Road Knoxville, TN 37932	20853	\$2,192,000.00 (Deduct \$2,000.00)	\$30,000.00	\$155,000.00	\$175.00/cy	\$150.00/cy	\$29.75/cy
Princeton Construction Company 1503 Narrow Lane Johnson City, TN 37604	11608	\$2,102,000.00 (Deduct \$27,000.00)	\$61,600.00	\$159,200.00	\$345.00/cy	\$345.00/cy	\$30.00/cy
Ramsey Contracting, LLC 3401 West Market Street Johnson City, TN 37604	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID



Upon motion by Commissioner Jenny Brock, seconded by Commissioner David Tomita, **Ordinance No. 4544-14**, "AN ORDINANCE TO UPDATE TITLE 14, CHAPTER 1, SECTIONS 101-104 OF THE CODE OF THE CITY OF JOHNSON CITY," was **passed on first reading**. The motion **carried** by four ayes. There were no nay votes.

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner Jenny Brock, **Ordinance No. 4549-14**, "AN ORDINANCE TO ANNEX CERTAIN PROPERTY KNOWN AS THE 2817 KNOB CREEK ROAD ANNEXATION AND TO ZONE SAID PROPERTY R-2 (LOW DENSITY RESIDENTIAL)," was **passed on first reading**. The motion **carried** by four ayes. There were no nay votes.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner David Tomita, **Ordinance No. 4550-14**, "AN ORDINANCE TO ANNEX CERTAIN PROPERTY KNOWN AS THE OLIVER FARMS PHASE II ANNEXATION AND TO ZONE SAID PROPERTY R-2A (LOW DENSITY RESIDENTIAL)," was **passed on first reading**. The motion **carried** by four ayes. There were no nay votes.

Upon motion by Commissioner Jenny Brock, seconded by Vice-Mayor Clayton Stout, **Ordinance No. 4551-14**, "AN ORDINANCE TO REZONE TAX MAP 53K GROUP D PARCEL 5 FROM R-2 (LOW DENSITY RESIDENTIAL) TO R-2C (LOW DENSITY RESIDENTIAL)," was **passed on first reading**. The motion **carried** by four ayes. There were no nay votes.

At this time, a public hearing was held regarding Ordinance No. 4552-14. No one spoke for or against this item.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, **Ordinance No. 4552-14**, "SUPPLEMENTAL BUDGET ORDINANCE," was **passed on first reading**. The motion **carried** by four ayes. There were no nay votes.

Upon motion by Commissioner Jenny Brock, seconded by Vice-Mayor Clayton Stout, **Ordinance No. 4547-14**, "AN ORDINANCE TO CALL FOR A REFERENDUM TO AMEND THE CHARTER OF THE CITY OF JOHNSON CITY AND TO SUBMIT SAID AMENDMENT TO THE QUALIFIED VOTERS IN THE NEXT GENERAL ELECTION TO BE HELD ON THE FIRST TUESDAY IN NOVEMBER 2014, AND TO REQUEST THE ELECTION COMMISSIONERS TO PLACE THE PROPOSED AMENDMENT UPON THE OFFICIAL BALLOT," was **passed on second reading**. The motion **carried** by four ayes. There were no nay votes.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, **Ordinance No. 4543-14**, "AN ORDINANCE TO AMEND SECTIONS 6.30.1 AND 6.30.3.3, OF THE DESIGN OVERLAY (DO) DISTRICT, OF THE ZONING CODE OF JOHNSON CITY, TENNESSEE CONCERNING DESIGN STANDARDS FOR EXTERIOR BUILDING WALLS," was **passed on third reading**. The motion **carried** by four ayes. There were no nay votes.

**ORDINANCE NO. 4543-14**

AN ORDINANCE TO AMEND SECTIONS 6.30.1 AND 6.30.3.3, OF THE DESIGN OVERLAY (DO) DISTRICT, OF THE ZONING CODE OF THE CITY OF JOHNSON CITY, TENNESSEE CONCERNING THE DESIGN STANDARDS FOR EXTERIOR BUILDING WALLS.

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**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF JOHNSON CITY AS FOLLOWS:**

**SECTION 1.** That Sections 6.30.1 and 6.30.3.3, of the Design Overlay (DO) district, of the Zoning Code of the City of Johnson City, Tennessee be and the same is hereby amended and modified as follows:

Amend Sections 6.30.1 and 6.30.3.3 to read as follows:

**6.30 DO – DESIGN OVERLAY DISTRICT**

**6.30.1 INTENT:**

The purpose of this overlay district is to establish higher environmental, aesthetic, and design standards for designated areas of Johnson City that includes properties visible from specified streets. Building walls should reflect and complement the traditional materials and construction techniques of the Johnson City region. They should express the construction techniques and structural constraints of traditional, long-lasting, building materials. Because these standards shall apply without regard to the underlying use of the land, they are created in a special overlay district which can be applied over any zoning district located along a designated street.

**6.30.3.3 Building Facades:**

Buildings shall be designed and constructed to avoid lengthy, unbroken facades with no scale, detailing, or fenestration. Examples of architectural details include: recessed or articulated wall surfaces; columns and beams; windows and other openings that reflect and enhance the character and style of the building; and defined rooflines. The use of sloped roofs in combination with flat roofs, may be used to vary the building profile and to provide equipment screening.

Exterior building materials that are prohibited, when visible from the designated roadway or abutting residential development, include: corrugated metal siding; vinyl siding; and unpainted concrete block.

A minimum of seventy-five percent (75%) of every exterior building wall, excluding glass, that is visible from a public right-of-way or an abutting residential development shall be comprised from the following materials: natural clay brick; and/or natural quarried stone products. Secondary façade materials, which may be used up to twenty-five percent (25%) on exterior building walls include: hard-coat stucco; concrete materials (not limited to architectural split-face block, tilt-up concrete, or precast concrete); synthetic stucco (EIFS); fiber-cement siding; and/or other materials as approved by the Development Services Director, or his/her designee. Painted smooth-faced concrete block, wood, architectural metal, and/or other materials differing from those used as primary and secondary materials may be utilized, in an amount not to exceed five percent (5%).

**SECTION 2. BE IT FURTHER ORDAINED,** That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 3. BE IT FURTHER ORDAINED,** That this ordinance shall take effect from and after its passage on third and final reading and publication as required by law, the public welfare requiring it.

PASSED IN OPEN, PUBLIC MEETING

ON THE FIRST READING 6/5/2014

PASSED IN OPEN, PUBLIC MEETING

ON THE SECOND READING 6/19/2014

PASSED IN OPEN, PUBLIC MEETING

ON THE THIRD READING 7/3/2014

APPROVED AND SIGNED IN OPEN

MEETING ON THE 3<sup>rd</sup> DAY OF

July, 2014

FOLLOWING PASSAGE ON THIRD

READING

/s/ Ralph Van Brocklin

MAYOR

ATTEST:

/s/ Janet Jennings

CITY RECORDER

APPROVED AS TO FORM:

/s/ James H. Epps, IV

CITY ATTORNEY

Upon motion by Commissioner Jenny Brock, seconded by Commissioner David Tomita, **Ordinance No. 4545-14**, "AN ORDINANCE TO ANNEX CERTAIN PROPERTY KNOWN AS THE 4506 BRISTOL HIGHWAY ANNEXATION AND TO ZONE SAID PROPERTY B-4 (PLANNED ARTERIAL BUSINESS)," was ***passed on third reading***. The motion ***carried*** by four ayes. There were no nay votes.

### **ORDINANCE NO. 4545-14**

AN ORDINANCE TO ANNEX CERTAIN PROPERTY LOCATED WITHIN THE TENTH (10<sup>TH</sup>) CIVIL DISTRICT OF WASHINGTON COUNTY, TENNESSEE ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF JOHNSON CITY, TENNESSEE, AND TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF JOHNSON CITY, TENNESSEE, SAID PROPERTY BEING KNOWN AS THE "4506 BRISTOL HIGHWAY ANNEXATION"; TO ZONE SAID PROPERTY B-4 (PLANNED ARTERIAL BUSINESS) AS DESCRIBED HEREIN AND TO AMEND THE ZONING MAP OF THE CITY OF JOHNSON CITY, TENNESSEE ACCORDINGLY, BEING A PART OF THE APPENDIX TO ORDINANCE NO. 1519.

**WHEREAS**, the annexation of such territory is deemed necessary for the welfare of the territory as well as for the welfare of the city as a whole; and

**WHEREAS**, the Johnson City Regional Planning Commission has considered

and approved the area for annexation during regular session on May 13, 2014; and

**WHEREAS**, the Johnson City Regional Planning Commission has considered and approved a Plan of Services for the area during regular session on May 13, 2014, a copy of which is attached hereto; and

**WHEREAS**, the Johnson City Regional Planning Commission has considered and approved a proposal for zoning said property and associated Concept Plan during regular session on May 13, 2014; which proposal is made a part of this ordinance as Section 2;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF JOHNSON CITY AS FOLLOWS:**

**SECTION 1.** Pursuant to authority conferred by Chapter 113, Public Acts of Tennessee, 1955, there is hereby annexed to the city of Johnson City, Tennessee, and incorporated within the corporate boundaries thereof, the following described territory adjoining the present corporate boundaries and situate, lying and being in the Tenth (10<sup>th</sup>) Civil District of Washington County, Tennessee.

See description marked "Exhibit 'A'" hereto.

See map or plat of the above-described property marked "Exhibit 'B' " hereto.

**SECTION 2. BE IT FURTHER ORDAINED** that the area herein described and annexed be zoned B-4 (Planned Arterial Business).

**SECTION 3. BE IT FURTHER ORDAINED** that this ordinance shall become operative from and after its passage provided in Chapter 113, Public Acts of Tennessee, 1955, and Chapter 1101, Public Acts of Tennessee, 1998 as supplemented and amended.

PASSED ON FIRST READING	<u>6/5/2014</u>
PASSED ON SECOND READING	<u>6/19/2014</u>
PASSED ON THIRD READING	<u>7/03/2014</u>
APPROVED AND SIGNED IN OPEN MEETING	
ON THE <u>3<sup>rd</sup></u> DAY OF <u>July</u> , 2014	

/s/ Ralph Van Brocklin  
MAYOR

**ATTEST:**

/s/ Janet Jennings

**City Recorder**

**APPROVED AS TO FORM:**

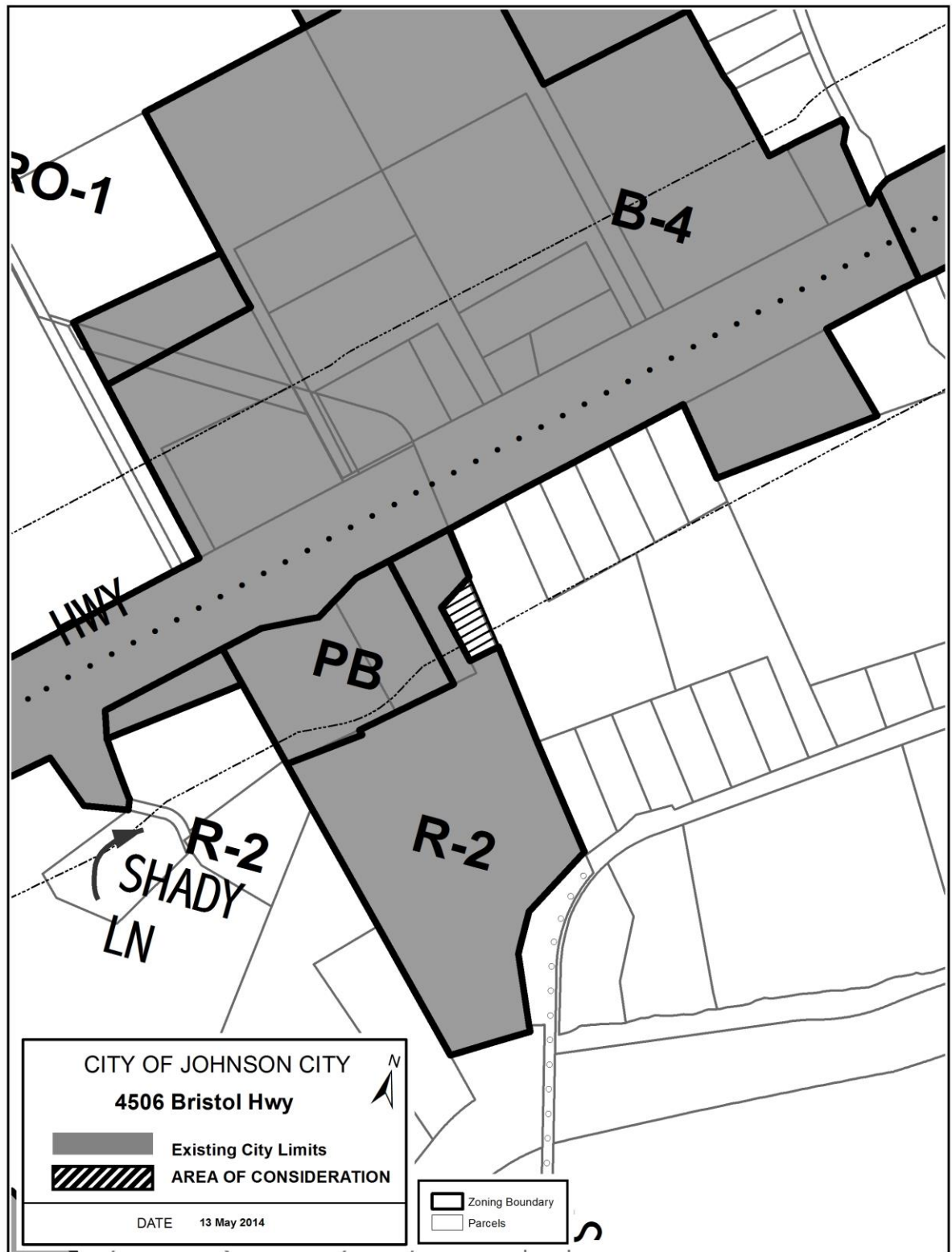
/s/ James H. Epps, IV

**City Attorney**

**“EXHIBIT ‘A’ ”**

**BEGINNING** at a point, said point being the northeasterly corner of Tax Map 22 Parcel 34.07 and owned by Property Investments LLC.; thence continuing in a southeasterly direction for a distance of 205 feet to a point, said point being the southeasterly corner of 4506 Bristol Highway and edge of existing city limits; thence continuing in a southwesterly direction for a distance of 86 feet to a point, said point being the southwesterly corner of Tax Map 22 Parcel 34.07; thence continuing in a northwesterly direction along the side property line and edge of existing city limits for a distance of 166 feet to a point, said point being the northwesterly corner of 4506 Bristol Highway; thence continuing along the front property line of Tax Map 22 Parcel 34.07 for a distance of 108 feet to a point, said point being the point of **BEGINNING**.

“EXHIBIT ‘B’ ”



Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner Jenny Brock, **Ordinance No. 4546-14**, "AN ORDINANCE TO REZONE FROM R-2 (LOW DENSITY RESIDENTIAL) TO B-4 (PLANNED ARTERIAL BUSINESS) CERTAIN PROPERTY LOCATED AT 4504 BRISTOL HIGHWAY," was **passed on third reading**. The motion **carried** by four ayes. There were no nay votes.

**ORDINANCE NO. 4546-14**

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF JOHNSON CITY, TENNESSEE BEING PART OF THE APPENDIX TO ORDINANCE NO. 1519 ENTITLED "AN ORDINANCE TO ADOPT A CODE OF LAWS AND ORDINANCES FOR THE CITY OF JOHNSON CITY, TENNESSEE, AND TO REPEAL ALL LAWS AND ORDINANCES IN CONFLICT THEREWITH", AND AMENDATORY THEREOF, BY CHANGING FROM A R-2 (LOW DENSITY RESIDENTIAL) DISTRICT TO A B-4 (PLANNED ARTERIAL BUSINESS) DISTRICT CERTAIN PROPERTY LOCATED AT 4504 BRISTOL HIGHWAY.

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**BE IT ORDAINED BY THE CITY OF JOHNSON CITY AS FOLLOWS:**

**SECTION 1.** That the Zoning Map of the city of Johnson City, Tennessee, being a part of the appendix to Ordinance No. 1519 entitled, "An Ordinance to Adopt a Code of Laws and Ordinances for the City of Johnson City, Tennessee, and to Repeal All Laws and Ordinances in Conflict Therewith," and all ordinances supplementary thereto and amendatory thereof, be and the same is hereby amended and modified by changing the zoning on the following described property from a R-2 (Low Density Residential) District to a B-4 (Planned Arterial Business) District.

See description marked "Exhibit 'A'" hereto.

See map of the above-described property marked "Exhibit 'B'" hereto.

**SECTION 2. BE IT FURTHER ORDAINED,** That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 3. BE IT FURTHER ORDAINED,** That this ordinance shall take effect from and after its passage on third and final reading and publication as required by law, the public welfare requiring it.

PASSED ON FIRST READING

6/5/2014

PASSED ON SECOND READING 6/19/2014  
PASSED ON THIRD READING 7/03/2014  
APPROVED AND SIGNED IN OPEN MEETING  
ON THE 3<sup>rd</sup> DAY OF July, 2014

/s/ Ralph Van Brocklin  
MAYOR

**ATTEST:**

/s/ Janet Jennings  
City Recorder

**APPROVED AS TO FORM:**

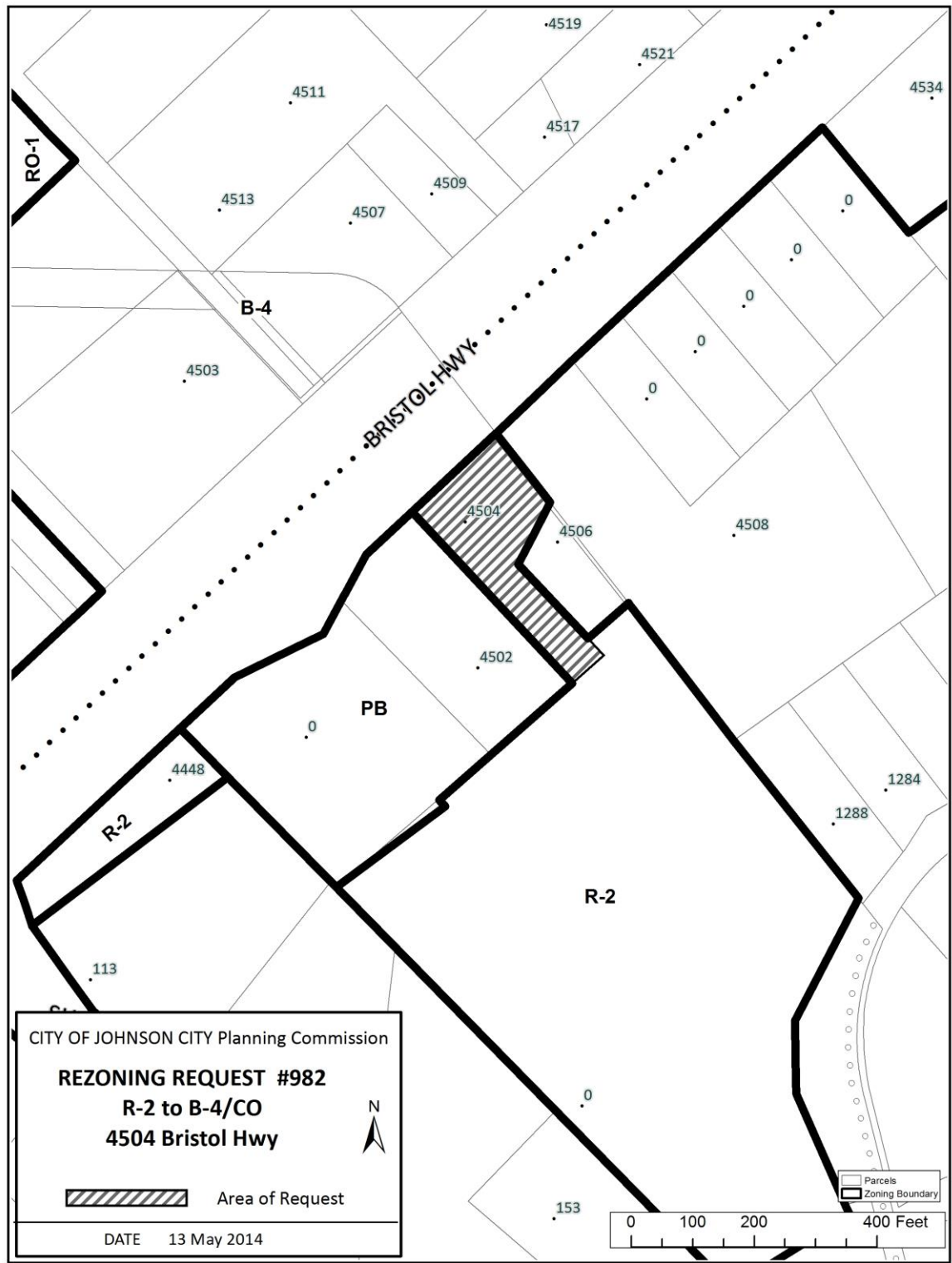
/s/ James H. Epps, IV  
City Attorney

**"Exhibit 'A'"**

**BEGINNING** at a point, said point being the northeasterly corner of 4504 Bristol Hwy and edge of right-of-way for Bristol Highway; thence continuing in a southeasterly direction for a distance of 142 feet to a point, said point being the northeasterly corner of Tax Map 22 Parcel 34.07; thence continuing along the shared property line of 4506 and 4504 Bristol Highway for a distance of 108 feet to a point, said point being the northwesterly corner of 4506 Bristol Highway and owned by Property Investments LLC.; thence continuing in a southeasterly direction along the side property line of 4504 Bristol Highway for a distance of 202 feet to a point, said point being the rear southeasterly corner of Tax Map 22 Parcel 34.08 ; thence continuing along the rear property line for a distance of 68 feet to a point, said point being the rear southwest corner of Tax Map 22 Parcel 34.08; thence continuing along the shared side property line of 4502 and 4504 Bristol Highway for a distance of 382 feet to a point, said point being the edge of right-of-way for Bristol Highway and the northwesterly corner of Tax Map 22 Parcel 34.08 ;thence continuing along the edge of right-of-way for a distance of 180 feet to a point, said point being the point of **BEGINNING**.



"Exhibit 'B'"



At this time, City Manager Pete Peterson presented the City Manager's Report.

There being no further business or discussion, Mayor Ralph Van Brocklin adjourned the meeting at 7:29 p.m.

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RALPH VAN BROCKLIN  
MAYOR

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JANET JENNINGS  
CITY RECORDER

**ITEMS DEFERRED:**

1. Consideration of three appointments to the Johnson City Development Authority (to allow time to review the remainder of the applications).
2. Consideration of the reappointment to the Johnson City Power Board (to allow time to determine if there were additional applicants and, if so, review those).

**ACTION ITEMS:**

1. None.